

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAKITO DION FIELDS,
Plaintiff,

No. C 12-5932 SI (pr)

ORDER OF DISMISSAL

v.

BANK OF AMERICA; et al.,
Defendants.

Plaintiff filed this *pro se* civil rights action under 42 U.S.C. § 1983. The court identified several deficiencies in the complaint, and dismissed it with leave to amend. Plaintiff filed an amended complaint, but the amended complaint does not cure the deficiencies that the court identified in the original complaint. Plaintiff largely repeats the allegations that the court stated were insufficient to state a claim against anyone. As the court explained in the order of dismissal with leave to amend, the allegation that he "gave a teller a note for [an] invalid transaction," Docket # 10, p. 1, does not show any basis for liability under § 1983 for the bank teller or the bank. Plaintiff's new allegations that police officer Eugene Guerrero responded to a bank alarm and apparently came into the bank to apprehend plaintiff does not state a claim under § 1983. The amended complaint fails to state a claim upon which relief may be granted. Further leave to amend will not be granted because the court has already explained the deficiencies and plaintiff was unable to cure them in his amended complaint. This action is dismissed for failure to state a claim upon which relief may be granted. The clerk shall close the file.

IT IS SO ORDERED.

Dated: May 20, 2013



SUSAN ILLSTON
United States District Judge